IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 25TH JANUARY 2007 / 5TH MAGHA 1928

Bail Appl..No. 297 of 2007()

Crime No.225/05 of Thamarassery Police Station

: PETITIONER/ACCUSED:

K.V. BALACHANDRAN,
S/O.V. NARAYANAN NAMBIAR, "SREE SAKTHI",
NADERI ROAD, KOYILANDY.

BY ADV. SRI.P.S.SREEDHARAN PILLAI

RESPONDENTS: COMPLAINANT/STATE:

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1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

2. THE DY.SP., CRIME BRANCH,
P.O. CHALAPPURAM, KOZHIKODE.

BY DIRECTOR GENERAL OF PROSECUTIONS SHRI.P.G.THAMPI

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 25/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.Ramkumar, J.

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B.A.No.297 of 2007

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Dated this the 25th day of January, 2007.

ORDER

Petitioner, who is the accused in Crime No.225 of 2005 of Thamarassery Police Station for offences punishable under Sections 365 and 306 I.P.C., seeks anticipatory bail.

2. The petitioner is working as Development Officer in the Koyilandy branch of the Life Insurance Corporation of India. The petitioner is alleged to have abated the suicide of an LIC agent working under him by name Sivadas, who had committed suicide on 21.5.2005.

3. The learned Director General of Prosecutions Shri. P.G.Thampi opposed the application.

4. Having regard to the facts and circumstances of the case, anticipatory bail cannot be granted to the petitioner. But at the same time, I am inclined to give the petitioner an opportunity to surrender before the Investigating Officer for the purpose of custodial interrogation and then to have his regular application for bail considered by the Magistrate having jurisdiction. Accordingly, the

petitioner is directed to surrender before the Deputy Superintendent of Police, CB CID, Kozhikode between 9 a.m. and 11 a.m. either on 30.1.2007 or on 31.1.2007 for the purpose of custodial interrogation and recovery of incriminating material, if any. The petitioner shall thereafter be produced before the J.F.C.M., Thamarassery on the same day. The Magistrate shall release the petitioner on bail on appropriate conditions on being satisfied that he has been interrogated by the Investigating Officer.

This application is allowed as above.

V.Ramkumar,
Judge.

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